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Containing the sexual teenager in an era of sexual consumption

Enjoy responsibly

ABSTRACT

We live in inconsistent times for the distinction between childhood and adulthood is greatly valued, but under erosion due to 1) underage sex and 2) adolescence. Underage sex is now much more visible due to social media. Adolescence as a transition between youth and adulthood is now much more prominent due to the postponement of adulthood. In both cases the distinction between children and adults on the basis of sex and age becomes less attainable. It is the pre-adult embodying a pre-sexual hybrid who is responsible for the loss of this fundamental distinction. What is of particular interest here is not the greatly despised configuration of inter-generational sex as associated with paedophilia, but intra-generational sex of those underage and the teenage girl in particular. By arguing underage sex and adolescence are taking center stage, it will be argued the cultivation of 'asexual childhood' is becoming problematic. Teenage restriction with regard to sex is furthermore heavily undermined by the dissemination of sexual images featuring teenagers and the circulation of pre-adults having casual sex. It will further be argued that underage sex among adolescents is increasingly criminalized by employing the quasi-legal notion of 'age appropriate sex' in order to make clear once again the proper place of youth and sex and the proper transition from childhood to adulthood. This transition is crucial for the sake of upholding the aforementioned distinction. I will turn to law as an instrument for containing underage sex within appropriate parameters. In conclusion some final remarks will be made on the (im)possibility to contain teenage sex.

Keywords: youth - sex - adolescence - enjoyment - containment

Jasira Maroun: *[about girlie magazine] Women look at these pictures?*

Melina Hines: *Yeah. They look at them and feel like crap.*

Jasira Maroun: *Do women ever look at them and feel good?*

Melina Hines: *Well, maybe. Is that how you feel? I mean, they're sexy pictures. How anyone feels when they look at them doesn't really matter. It's private. But how a kid your age got a magazine like this, that isn't private. Who gave you this?*

Jasira Maroun: *[no answer]*

Melina Hines: *Jasira, did an adult give you this?*

Jasira Maroun: *[no answer]*

Nothing is Private (a.k.a. Towelhead).

INTRODUCTION

The late modern West is very much concerned with youth and sex.¹ Although youth and sex are biological in nature it is ultimately culture that gives meaning. By using cultural criminology and its interest in representation, meaning and style I will try to unravel meaning and its consequences. Like crime, the meaning of youth and sex are unstable depending on specific temporal and spatial circumstances (see also Parsons, 2000). With respect to temporal contingency the contrast between the nineteen sixties and seventies and this day and age is quite telling. With respect to spatial contingency there is even within the West a lot of difference between countries. On both contingencies take for example the media attention surrounding Roman Polanski who had sexual contact with a minor in the heydays of the sexual revolution and who has ever since been hiding in Europe as to escape his prison sentence in the United States. The case is very illustrative for it makes clear that in dealing with youth and sex, time and place matter tremendously (see also Nieto, 2004; Malón, 2011).² It is therefore that youth and sex have to be understood as social constructions. Particularly in this day and age the relationship between the both is ambiguous. On the one hand it is reasoned that children should be excluded from sex and that sex is something exclusive for adults (Allen, 2001; Furedi, 2001; Hawkes & Egan, 2008a). On the other hand there is a place between childhood and adulthood as represented by the sexual teenager who signifies dirt as elaborated by Mary Douglas:

“If we can abstract pathogenicity and hygiene from our notion of dirt, we are left with the old definition of dirt as ‘matter out of place’. This is a very suggestive approach. It implies two conditions: a set of ordered relations and a contravention of that order. Dirt then, is never a unique, isolated event. Where there is dirt there is system. Dirt is the by-product of a systemic ordering and classification of matter, in so far as ordering involves rejecting inappropriate elements (1966, p. 36).”

The loss of a hair and its isolated presence in a different context is a concrete example of ‘matter out of place’. A displacement implies the move from the usual or correct location. In this article I will focus on the sexual teenager; the child as being ‘out of control’ and disrupting a place from within (Jackson & Scott, 1999). The sexual teenager defies classification and is impure for it does not respect its designated place of being asexual. Hence losing its status as child and troubling the status of adulthood resting on being exclusively sexual. Besides the possibility of giving birth, the term ‘sexual’ stresses that teenagers can use sex as a means to establish relationships and gain pleasure.

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- 1 The act of sex is nowadays much less of a taboo but certainly not in relation to youth. The only major limitations because of law and/or societal disapproval concern the consumption between generations and the age at which sex is consumed.
 - 2 In most places the old paradigm of sexual liberation is now completely overshadowed by the new paradigm of sexual abuse.

It should be noted however that there are a lot of gradations of being sexual and teenagers differ of course in terms of acting out desire. What a lot of teenagers share however is a certain propensity for behavior aimed at physical titillation. Whenever this physical titillation lacks a goal such as establishing a relationship, sex is regarded as problematic. A popular take on underage sex is that it is in principle an uprooting experience. Those underage are thought of as being rooted in an asexual place and once sexual this is thought of as being 'out of place' and in need of guidance.

"I know I'm still really immature, but I don't feel like I'm 15," Becca says. "I'm not stupid like a regular 15 year old. I don't do immature things." "You started dating these guys when you were 14, right? You're 15 now. You say you've been through eight or nine. How's that working for you?" Dr. Phil asks. "Well, that's because relationships just don't work out for me. They just don't," she says. "They don't work out for you because you're getting with guys that use you. They find you, they use you, they abuse you, they rape you. A 20-year-old having sex with you is rape," Dr. Phil says. "So, you have hooked up with eight or nine guys, who, if we can find out who they are, will very likely be charged, they will be convicted, they will be put on the registered sex offender list and spend the rest of their lives [in jail] because they used and abused you." "How do you know they used me? You weren't in my position. You weren't there at the moment," Becca argues. "You said you had sex with them all. That's all I need to know," he says. Dr. Phil turns to Debi. "You need to get her professional help. She needs to be dealing with someone who will teach her how to value herself and where to put boundaries in her relationships." Dr. Phil offers to arrange for a counselor for Becca. "There are certain responsibilities with becoming a young woman. And you are not protecting yourself. You're subject to getting abused, you're subject to STDs, you're subject to getting killed." Becca argues that she uses protection, and her mother tells her that it won't save her from being attacked by some guy. "Look, save your eye rolls for somebody who's impressed with that rebellious crap, because I am not," Dr. Phil tells her. "You need to understand that there just might be some things you don't know."

Dr. Phil (The Cost of Beauty) 09/21/11

In the public perception the sexual teenager is equated with endangerment. The newsworthiness of teenage sex fits an important news imperative referred to by Chibnall (1977) as titillation. It provides the perfect opportunity to ascribe moral decay to a younger generation while simultaneously enjoying the spectacle at a safe distance. Although having a voyeuristic quality those of respectability thus maintain "a self-righteous moral rectitude which denies the desirability of illicit pleasure (ibid: 208)." If media representations of teenage sex gone wrong are representative is up for debate. It is very likely that these images are in fact atypical and not the norm (see for instance De Graaf et al., 2007). However these images do seem to resonate within the general public. Media representations of teenage sex gone wrong seem to pop up regularly and express wider concerns with respect to youth and sex as currently embedded in society. The focus on youth as not keeping up the promise of a bright future is of course age old, but it is particular salient these days. The act of sex contains the seeds of that future quite literal. In that sense, a girl like the one on the Dr. Phil show seems to envisage the breakdown of social order because of her inappropriate sexual behavior.

Talks about underage sex tap into a wide range of social anxieties and have major symbolic functions. With Durkheim we can interpret the reactions of those in authority as a means to demarcate clear boundaries once again and to revitalize the collective conscience (see Plummer, 2003). In dealing with anxiety over the proper place of youth and sex people rely on moral panics (Cohen, 1973; Ailon, 2013) in order to counter inconsistency with intensity. It is this inconsistency that will be uncovered (see also Garland, 2008).

We live in inconsistent times for the distinction between childhood and adulthood is greatly valued, but under erosion due to 1) underage sex and 2) adolescence. Underage sex is now much more visible due to social media. Adolescence as a transition between youth and adulthood is now much more prominent due to the postponement of adulthood. In both cases the distinction between children and adults on the basis of sex and age becomes less attainable. It is the pre-adult embodying some sort of a pre-sexual hybrid who is responsible for the loss of this fundamental distinction. What is of particular interest here is not the greatly despised configuration of inter-generational sex as associated with paedophilia (Gooren, 2011) but intra-generational sex of those underage and the teenage girl in particular (Gooren, 2014). By arguing underage sex and adolescence are taking center stage it will be argued the cultivation of 'asexual childhood' is becoming problematic. Teenage restriction with regard to sex is furthermore heavily undermined by the dissemination of sexual images featuring teenagers and the circulation of pre-adults having casual sex. It will be argued that underage sex among adolescents is increasingly criminalized by employing the quasi-legal notion of 'age appropriate sex' in order to make clear once again the proper place of youth and sex and the proper transition from childhood to adulthood. This transition is crucial for the sake of upholding the aforementioned distinction. I will turn to law as an instrument for containing underage sex within appropriate parameters. In conclusion some final remarks will be made on the (im)possibility to contain teenage sex.

THE TROUBLING OPPOSITION OF 'CHILDHOOD' AND 'ADULTHOOD'

Underage sex

The asexual child and the sexual adult make up a powerful configuration and reproduce a fundamental divide on the basis of sex. This divide is however at risk considering teenagers move on a line closely monitored by authorities. The line is dividing but precarious because of the inherent temporality of childhood. The lack of sex is thought to be constitutive of childhood and therefore any expression of underage sex is quickly regarded as a surplus since it leads to a displacement eroding the places of childhood of adulthood. Borrowing a concept of Žižek (2006, p. 4) we are dealing with a parallax gap meaning the confrontation of two closely linked perspectives between which no neutral common ground is possible. A 'short-circuit'

occurs when there is a faulty connection in the network from the standpoint of the network's smooth functioning. It is the space between two perspectives that cannot be reduced to either one of them. Moreover, it is a productive site; it is not a question of overcoming the gap, but of conceiving it as 'becoming'. The sexual teenager should be understood as 'becoming' because he/she has already departed from childhood but has not yet arrived at adulthood (see also Deleuze & Guattari, 1987, p. 232-309). Teenagers have to be understood as pre-sexual in the sense of being close to sexual.

To sustain the places of childhood and adulthood by using sex as a marker Western societies used to have a place where pre-sexual beings could be outsourced to the periphery:

"For girls, there was, until the middle of the twentieth century, a tradition called the "honeymoon trip" which was an ancestral theme. The young woman's deflowering could take place "nowhere" and, at the moment of its occurrence the train or honeymoon hotel was indeed the place of this nowhere, this heterotopia without geographical markers (Foucault, 1986, p. 22-27)."

The place described as heterotopia, making the transition from childhood to adulthood invisible, is less obtainable in this day and age as underage sex is no longer "nowhere" but "everywhere". However this cannot be solely attributed to the sexual desire of teenagers for I concur with Butler (1990, p. 131) who argues that the polarity between an unruly nature and an order imposed by cultural means is a false opposition for it is actually cultural unruliness and disorder by which taboos maintain boundaries. It is this cultural 'untidiness' in relation to youth and sex that is important in order to understand the fundamental erosion of childhood and adulthood as distinct places. In this regard the cultural meaning of adolescence as a transitional stage of physical and psychological development generally occurring during the period from puberty to legal adulthood (age of majority) is crucial. The period of adolescence is most closely associated with the teenage years though its physical, psychological and cultural expressions may begin earlier and end later. What does underage sex have to do with adolescence?

Adolescence

Not only is sex not properly contained by adults, but equally important is that youth is not contained by children. Angelides (2012, p. 834) observes a contradiction between the extension of youth, as a result, for example, of greater age stratification in society and increased time in formal education,

and their premature sexualization by the market and mass media.³ On problems related to age-specific expectations and the transition between phases of life see Simon & Gagnon (1999, p. 37) who argue contemporary societies “often appear to do very little to instruct individuals in how to manage such transitions; failing not only to provide training in the behaviors associated with a new stage, but to provide a clear basis for recognitions by others.” What is specifically relevant is generational confusion (see Davidson Hunter, 2009; Hayward, 2012, 2013). ‘The child’, ‘the adolescent’ and ‘the adult’ have no autonomous meaning but are mutually constitutive domains of meaning. The combination of accelerated development (children), arrested development (adolescents) and regressive development (adults) implies childhood and adulthood lose their boundary while adolescence takes centre stage eroding the previous pillars separated by sex. Without a clear separation between the three domains mentioned above, transitions become indeed problematic. Regarding transitions, a comparative and historical perspective is very interesting in that it reveals that in more ‘paradigmatic’ societies becoming an adult is intimately tied to having sex with an adult (see Tsang, 1981). Male homosexual paedophilia exists and existed in relation to education, initiation or acculturation for boys. It is for instance well known that in ancient Greece educational functions and sexual activity were combined whenever a man was responsible for preparing a boy to fulfil his adult civic and military responsibilities. Over time these relationships became increasingly hedonistic and were eventually frowned upon and in the end pathologized. However at some point in history inter-generational sex did thus stabilize the social order and facilitated the transition from childhood and adulthood. This is very different in the late modern West where it is in fact intra-generational sex between adolescents destabilizing the social order resting on childhood and adulthood.

TECHNOLOGY AND IMAGE: DISSEMINATION

The revelation of sex is nowadays far more present than in earlier days when such information was for the most part distributed only by precocious classmates (Egan & Hawkes, 2009). Although considerable effort is put into con-

3 The sexual teenager is now an aesthetic value widely pursued and celebrated (see also Giroux, 2011). Schor (2003) for instance shows how being young and sexy is itself produced for the purpose of being sold as an image. Both assets are commodities within the current capitalist mode based on mediated representation, marketing strategy and life-style consumption (Ferrell, 2007). Adatto (2003) for instance understands the sexualization of childhood as a commercial strategy for controversy sells (see also McRobbie & Thornton, 1995). Youngsters long for sex appeal for this signifies adulthood and rebellion, whereas adults long for youthfulness for this signifies the sex appeal that is related to being a teenager. The underlying message is that one can be sexual and relive youth at any age. In an age of consumerism these assets have a lot to do with the promise of pleasure and escape which is very much related to being an adolescent (see Hayward, 2013).

cealing sex, it is likely children consume far more sexual images nowadays than in the past and it also likely this happens at an earlier age hence turning children into adolescents (Janssen, 2004; Jackson, 2005; Bragg, Buckingham, Russell & Willett, 2011). This is seen as a danger for childhood in general and especially for girls who are thought to be easily corrupted as both desiring and desirable (Egan & Hawkes, 2007). The contamination by sexual images might lead to having underage sex for real and this is according to Levine (2002) the founding principle of obscenity laws. Internet makes the sources of contamination unlimited (see Thie, 2009; Kool, 2010; Kerstens, Veenstra & Stol, 2011). The crux of the matter is the level of display far beyond peers contaminating each other. Images of sex are inescapable and this is especially true for teenagers consuming and producing images in a multi-mediated world. It is through these images that it becomes clear ethics and aesthetics do not add up when dealing with underage sex (see Carrabine, 2012). The fact that teenagers are sexual objects becomes clear, for instance, through mainstream pornography which has a firmly embedded genre called 'teen'.⁴ The fact that they are themselves desiring subjects is reflected in the act of sending sexually explicit messages or photographs referred to as 'sexting'.

'Sexting' underlines that there is a lot of agency involved when it comes to the expression of sex by youngsters and also that these youngsters are not necessarily victims but sometimes even offenders. Technology is crucial here for it has consequences for human interaction. Technology alters how people behave for people seem to become more transparent simply because they have the means to do so (see also Mathiesen, 1997; Smith, 2010). The current usage of social media is a strong case in point. It is hard to distinguish indoors from outdoors because in today's climate people are more willing to share their intimate life (on the end of intimacy see Wollein & Weinhart, 2012). This is especially relevant with for teenagers who are quite literal less domesticated with respect to outdoor sexual activity, but also with respect to sexual images circulating outdoors. An image of a sexual teenager is however illegal and can therefore be qualified as child pornography. In fact, the presence of cameras and webcams on phones and computers and the massive exchange of photos and films make teenagers the number one producer of child pornography.⁴

In addition to this, no real youth and sex are even required in order to produce imagery of sexual teenagers. Age does not prove to be a rigid biological fact. Think for instance about virtual child pornography (Kleinhans, 2004). Moreover, the internet proves to be a very effective smokescreen when it comes to age and sex. If underage sex is staged by those who are not below the age of minority this nonetheless reactivates the taboo for youth and sex remain intimately linked. It is then argued that this might send the wrong message making underage sex 'normal' (see also King, 2008; Luck, 2009;

4 This is referred to as *child* pornography whereas imagery of sex in general is referred to as *adult* content. What is thus missing is *teen* despite the obvious fact that teen sex represents a host of sexual images and naturally teenagers play an important role in this regard.

Russell, 2008). This way of thinking presumes fiction can alter the real in that massive exposure to imagery can lead to desensitization (see also Jameson, 1991; Sontag, 2004).⁵ Moreover current times are by some (Ferrell, Hayward & Young, 2008) described as an 'infinite hall of mirrors' where the real and the represented are increasingly blurred. In following Prozorov (2011) and arguing reality is only established by means of extreme and vulgar visibility, the child is perhaps all the more visible when directly linked to sex as is the case with child pornography. I am tempted to claim the asexual child is rediscovered precisely through the defilement of sex. It is through the paradoxical contamination and outsourcing of sex that the child can thus be asexual once again (see Gooren, 2011). The status of clear-cut victimhood makes this possible.

This is however much more difficult when dealing with 'teen' pornography produced by teenagers expressing sexual desire via technology (on self-representation see Albury, Funnell & Noonan, 2010). In our age of voyeurism and exhibitionism (Lyon, 2007, p. 139-158) sexual images are easily produced and even more effortlessly distributed and thus attracting a wide audience viewing that open secret of underage sex. Perhaps the nature and degree of underage sex has not really changed over time, but the existence as such is now much more present due to the massive dissemination of imagery related to the taboo of being sexual at a premature age. Hence, the sexual teenager is visible at an unprecedented scale. The negation of teenage sex is constantly discredited and above all by youngsters themselves creating sexual images of themselves (see also Karaian, 2012). Their 'will-to-representation' (Yar, 2012) is crucial in that a lot of youngster are no longer backstage when they are acting sexual, but actually onstage reinforcing their sexual status for an ever larger audience as an image abandons the unity of time, place and action. Following Butler (1990) not only is underage sex performed it also performative for it produces a series of affects consolidating the impression that pre-adults are not asexual beings. One could argue that the official regime of representation is under erasure due to the resistance of the sexual teenager whose transgression is now very much visible and audible.

THE ECONOMY OF SEX: CIRCULATION

The logic of the market is not only operative in the economy but has also an impact on sexual relations. In this regard neoliberalism (Harvey, 2007) and erotic deregulation (Wouters, 2002) prove to be communicating vessels.

5 It is interesting to note that in an age of consumerism investing in subjects is largely replaced by consuming them as objects. This relates nicely to Debords (1968) observation that 'the image has become the final form of commodity reification'. In view of the fact that images of the sexual teenager are paramount, those being underage are thus very much accessible as objects within the economy of sex. At an abstract level, youngsters are consumed as sexual objects. At a concrete level, youngsters have sex according to a consumer logic.

Moreover, contemporary sexualities are structured in global capitalist markets; selling bodies, selling images, selling sex objects, selling new technologies, selling relationships etc. (Macionis & Plummer, 2008, chapter 12). Whereas Freud (1961) focussed on the repression of sex in an era of Fordism resting on discipline, this is certainly less relevant in an era of post-Fordism resting on immediate gratification. The experience of sex is omnipresent and this makes sublimation somewhat obsolete. The shift from prohibition to enjoyment is very manifest in present-day consumerism for we are in fact commanded to enjoy (see McGowan, 2004, p. 11-73). Is it not possible that in a sexually permissive age wherein we are obliged to enjoy the sexual gaze is focused more and more on sexual teenagers since they represent the last bastion where prohibitions make genuine enjoyment possible? A psychoanalytic reading would have it that without injunction there can be no *jouissance*.

Enjoyment however is not limited to adults for youngsters are also consumers in every possible way. The 'commodification of everyday life' (Presdee, 2001) implies teenagers are the perfect embodiment of neoliberal subjectivity (Gammon, 2012) and deal with sex in a much more casual way considering the inauthenticity of virtually everything touched by the market. This is reminiscent of Simmel (1950) who argues people can only cope with rapid urbanization and tolerate its extremes by investing in a blasé attitude. The same is perhaps true for the stimuli that stem from the unprecedented rush of sexualization in late modern life. The adolescent years are moreover a period of sexual experimentation. Most people have not yet settled so there is a lot of circulation going on with respect to making bodies available for sexual seduction. This applies to more and more people because the period of adolescence is expanding, including evermore children and adults. All of this relates very nicely with living in liquid times whereas having a longstanding relationship seems to belong to the solid times of yesteryear (Bauman, 1998, 2003, 2007). This is not completely new of course as free sex had been celebrated by those parents belonging to a previous generation who are now anxious about the alienating effects this has on their children. In linking sexual emancipation and commodification Žižek (2006, p. 311) remarks:

"Here one is tempted to oppose the post-'68 Leftist drive to *jouissance* (to reaching the extreme of forms of sexual pleasure that would dissolve all social links and allow me to find a climax in the solipsism of absolute *jouissance*) to the consummation of commodified products promising *jouissance*: the first still stands for a radical, even "authentic," subjective position; while the second implies a defeat, a surrender to market forces."

Is the case of casual sex not the perfect incarnation of both these drives? Think also about the multiple meaning of the word 'consummating'. If one understands consumption as a libidinal discharge then casual sex is its most pure manifestation. Regarding sex we might have moved from an emphasis on reproduction (birth) to relational (love) and now to recreational (fun) (Plummer, 2003). The phase of adolescence is of course all about having fun

and suspending the commitment related to children and relationships. See also the work of Kimmel (2010, p. 193) on hooking up who argues that the complex dance called "rating-dating-mating" has been abandoned by a lot of young adults nowadays due to the absence of courtship rituals. According to his research youngsters move directly to mating through the use of alcohol and so called 'planned spontaneity'. However Bauman (1998) notes that this comes with the price of more uncertainty and anxiety. Moreover, casual sex is not liberating per se for co-option by the market is ever present. It is there where new hierarchies are formed around sexual attraction and bodily health (Noys, 2007).

"To enter the society of consumers and be issued permanent residence permits, men and women must meet the conditions of eligibility defined by market standards. They are expected to make themselves available on the market and to seek, in competition with the rest of the members, their most favourable 'market value'. While exploring the marketplace in search of consumer goods (the ostensibly purpose of their presence there), they are drawn to shops by the prospect of finding the tools and raw materials they may (and *must*) use in making themselves 'fit for being consumed' - and so market-worthy (Bauman, 2007, p. 62)."

Due to the high level of sexual circulation, this is certainly applicable to pre-adults having casual sex. They correspond with Hardt's (2010) observation of what new capitalism entails. In this regard old capitalism refers to private property as exclusive whereas under new capitalism the production of ideas, affects, social relations and forms of life makes ownership counter-productive since these less tangible products have to circulate in order to become more valuable.

There is however an unmistakable asymmetry. Having casual sex as a pre-adult is simply more stigmatic for women than for men. On this more 'permissive' discourse favoring the 'male sexual drive' instead of the more female logic of 'have/hold' see also Gadd & Jefferson (2007, chapter 4) who argue it is more easier for men to adopt. The imagination of being equal subjects of exchange mystifies the fundamental inequality between boys and girls. The latter are far more contained by values related to reproduction and relationships and have therefore less discursive positions when it comes to sexual expression. Elsewhere (Gooren, 2014) I have argued gender asymmetry might be the reason why bringing a case of underage sex to trial might function as a legal antidote for girls who feel exploited by casual sex while the extralegal problem of inequality is left untouched through the isolation of individual culpability. The act of having casual sex is not regarded as emancipatory for girls as the earlier discussion on the Dr. Phil show makes clear. Hook-up cultures might be viewed as liberating and empowering for some but are thought to be exploitive and sexist for girls (see Gavey, 2011). The Dutch novelist Arnon Grunberg remarked in a Dutch newspaper that it is inconceivable that something similar like the annual parade that goes by the name *Amsterdam Gay Pride* and which expresses tolerance for homosexuality would be extended to women having their own *Slut Pride* (Grunberg,

2011). In our culture girls are instructed not to behave as 'fast moving consumer goods' and ought to strive for sustainability if they are in search of value. This value is very much related to love and monogamy.⁶

In accord with Hayward (2002, p. 90) and extending his general argument about youth crime to sexual matters, one could state that the state represents "more 'rational' forms of control and authority" in dealing with excitement and emotionality whereas "the market chooses instead to celebrate and, very importantly, commodify, these same sensations". Linked to this logic there is a popular belief that teenagers navigate a world of instant sex expressing only interest in sexual gratification and/or material gain. This shift is exemplified by the public perception that girls used to kiss to get attention whereas now they allegedly give blow jobs (De Graaf et al., 2007). These are forms of sex which are less affective and because of its volatile nature considered excessive. The excessiveness stems from the fact that the juvenile sexual energy is not contained by love and therefore believed to have run amok. For teenagers in general, the commodification of sex and the message to enjoy runs parallel to the restriction of underage sexual experimentation and the message of risk and danger. For authorities in search of stability love seems to crucial whenever assessing underage sex. To me this signals a return to old capitalism with the aim of restoring the instability of neoliberalism. On the notion of love and its relation with old capitalism Illouz (1997, p. 7) remarks:

"The idea that romantic love is at the cornerstone of the culture of capitalism is not new. In his *Origin of the Family, Private Property and the State*, a sweeping critique of the family from Greek civilization to the bourgeois era, Friedrich Engels condemned the family for subjugating women to men and for preserving private property (through laws of inheritance). For Engels, the monogamous bourgeois "affectionate" marriage is a hypocritical illusion, conditioned by class rather than sentiment, and remains ultimately a marriage of convenience rather than love."

THE CRIMINALIZATION OF UNDERAGE SEX AMONG ADOLESCENTS: CONTAINMENT

How to understand the setting up of boundaries in order to contain the sexual teenager in an era of sexual consumption? What will follow is an elaboration on the deeper meaning of these boundaries in relation to the social order. I will turn to law as an instrument for containing underage sex within appropriate parameters. The Netherlands has been chosen as the spatial locality in order to link the more general cultural dynamics to criminal justice as operative within a particular state territory. However it is possible that the criminalization of underage sex is perhaps also generalizable to more

6 Having sex based on love is viewed as less inordinate than casual sex. Ironically however, love provides also no lasting duration as Luhmann (1986) demonstrates when he argues that the essence of love itself is its excessiveness and that this is also the very reason for its end.

state territories within the West. The application of criminal law in the Netherlands will be analyzed as to serve as an example of setting up boundaries when it comes to underage sexual experimentation and the message of risk and danger. Jackson & Scott (2004) note that it is medicine and law which tries to fix sexual desire by containing it within appropriate parameters. For minors, what is often at stake are the speed of development, the problematic expression and gender (Smith & Attwood, 2011). Moreover Boutellier (2004) emphasizes the relationship between criminal law and victim culture and it is precisely victimhood which is the key to understand the intervention of the state when it comes to the policing of pre-adults having casual sex. To be a victim of underage sex because a teenager has not yet reached the age of majority implies that the dynamics, meanings and effects are largely predetermined by legal idiom (Angelides, 2007). Law can moreover redefine sexual experiences according to predefined standards of health and normalcy (Grondin, 2011). The 'official' state of affairs is consequently normalized by negating those sources that question the binary opposition of passive asexuality and aggressive sexuality, respectively ascribed to the child and the adult if they were to collide.

It seems clarification is expected from criminal law at a time when it becomes more difficult to define what constitutes youth and sex. Hence *a contrario* notions such as the age of minority and statutory rape come into force whenever dealing with underage sex. In a lot of Western countries it is only after sixteen years of age that one is fully *authorized by authorities* to have sex. Authorities are of course not completely blind to the *law in action* when applying *law in the books*. There is therefore an escape with regard to rigid age limits. A nineteen year old boy can have sex with his fifteen year old girlfriend but a nineteen year old boy having sex with a fifteen year old who might not be his steady girlfriend is much less likely to be accepted. The acknowledgement that youngsters have sex at some point makes the enforcement of abstinence problematic, but this is replaced by enforcing *how* youngsters should become sexual. The underlying message is that sex should be embedded in the relational whereas in former times this was exclusively linked to the reproduction.⁷ Even in this day and age this still expresses the prescription of the holy sanctimony between the 'nuclear family' and 'marriage'. The nuclear family refers to the subordinate position of youngsters and marriage refers to the housing of sex. If not contained by these, authorities generally disapprove of underage sex and are eager to intervene. The intervention is primarily done with the intent of putting the act of sex and youngsters back in their respective containers. These containers being the nuclear family (the child belongs to the father) and marriage (sex belongs to the husband). In the same spirit Kristeva (2007, p. 721-722) argues "the "couple" became the miracle formula intended to create a biface

7 All of this shares important similarities with a general criminological theory that goes by the name of social bonding as elaborated by Travis Hirschi (1969). In this regard, casual sex is valued along the same lines. It is deviant because it lacks bonding.

subject guaranteeing both the parent-child and state-citizen bond." All of this makes perfect sense if one understands that the family is the basic unit of control for the contemporary state (Jenks, 1996, p. 100).

For youngsters *becoming* sexual, the enforced route through the use of criminal law expresses the good old Malthusian couple; the iconic coupling of middle-class morality, heterosexual desire and legitimate procreation that Foucault (1978, p. 103-114) suggests came to prominence in the late eighteenth and early nineteenth centuries. Because this notion is only operative whenever someone is below the age of majority, society is able to reproduce a subtle version of heteronormativity without invoking the critique of moral crusading whenever this interferes with the lives of adults. 'The child' thus plays a pivotal role in the process of propagating 'proper sexual conduct' (Foucault, 1978). When it comes to sex, those underage are very explicitly subjected to the confining parameters of love and monogamy (see also Moore & Prescott, 2010) and these are in fact legally enforceable since underage sex falling outside the romance of a monogamous couple engaged in 'missionary position' is likely to be considered wrong. This is a prime example of ideology in its operational form since it determines the proper route from point a (asexual) to b (sexual). If a minor diverges from this route he/she can encounter criminal law for disobeying the magic formula of 'age appropriate sex'. The sexual progression among those underage is however not nicely tied to a specific age for there is a lot of heterogeneity among minors expressing sexual appetite.

Perhaps even more important and less arbitrary than age distinctions is that sexual experiences are related to historical and cultural assumptions with respect to gender (Angelides, 2007). With regard to sexual contact, girls are mostly thought of as passive and receptive whereas boys are viewed as active and productive. The aforementioned dichotomy ascribed to child and adult is equally applicable to feminine and masculine adolescents whereby either victim or agent signifies a kind of unitary, rationalistic straitjacket negating the inconsistent and/or contradictory aspects of sexual experimentation (Jefferson, 1997, p. 297-298). In order to provide consistency the sexual danger is often thought of as older and masculine and imposed on the young and feminine. The latter combination is thought of as responding to male sexual desire (see Wilks, 2009; Smith, 2012). It is the sexually activated teenage girl however where the true problem for the social order lies and not so much masculinity allegedly making this happen. An uncontained sexual girl represents the opposite of a docile body as Foucault understands it for she defies not only the asexual containment guarded by her father but also the sexual containment guarded by her soon to be husband.⁸ The pathological nature of women's sexuality is of course an old theme and always thought to be present under surface and excessively manifest once catalyzed

8 Her promiscuous sexual activity is truly subversive because she transgresses in more than one way the exclusive entitlement of having her as property.

(Egan & Hawkes, 2007). The prescription of going steady thus seems crucial if a teenage girl wants to become sexually active in a responsible way.⁹

THE (IM)POSSIBILITY OF KEEPING TEENAGE SEXUALITY IN PLACE

The act of *sexual transgression* should not be mistaken with *child sexual abuse* for transgression refers to the far more slippery notion of health. In order to promote sexual health and to ward off risk and danger the state has numerous techniques to govern a population. This biopolitical act of managing people as a group is according to Foucault (2009) an integral feature and essential to the workings of and made possible the emergence of the modern nation state and capitalism (see also Deutscher, 2012). Youth is of course an important target for state governance and it especially through the act of sex that youngsters reproduce the present in the future. The act of 'age appropriate sex' is of course most effective when it relies on those deviations not fitting the prescription. The defiance of uncontained underage sex signifies a resilient vice for adolescents will always resist and exceed efforts at containment, control and definitional closure related to the master narrative of sexual danger (Angelides, 2004, 2009, 2010). By focusing on displacement the right place is implicitly revealed. Young (2007, p. 113) argues: "The overtypical is the presumption of the normal, it is the stereotype of the normal just as the atypical forms the stereotype of the deviant." In this case the overtypical would be a teenager only having sex within a committed relationship like the romantic couple in *The Blue Lagoon* whereas the atypical would resemble an amoral teenager having lots of uncommitted sex like the ones in Larry Clark's *Kids*. The latter signifies a resilient vice which is in fact supportive for authorities because the alleged loss of asexuality is productive as it reinforces there was such a thing as asexual childhood and a responsible way to sexual adulthood. What is crucial is that the act of underage sex is no longer an obscure entrance into adulthood. It seems that the watersheds separating distinct stages in life are dissolving and what we are left with is a chronic stage of adolescence which is less guided by a specific age. It is therefore that 'age appropriate sex' comes into play. It is in these agonistic times that the blurring of youth and sex provides a fertile ground for moral panics and normative regulation (see Critcher, 2009).

This process is however in danger of covering up inherent contradictions within a rather schizophrenic society in which children are contained asexually but at the same time set free as sexually desirable and desiring. The contamination of youth and sex is thus omnipresent, but so is the reclaiming of childhood and adulthood. The idea is that the spirit of the child should be protected against the carnal knowledge of adulthood. This knowledge is

9 The way authorities deal with underage sex is at its core heteronormative and more specifically gendered; girls should comply with their associated gender roles and the notion that random meaningless sex with strangers is wrong (Rubin, 1984; Weiss, undated; Bale, 2011).

however not only to be found in outside forces and that is what makes containment virtually impossible. In order to stress the homology between the sexual teenager and the *paedophile* I would like to refer to Wacquant (2009, p. 209-234) who states that the focus on *stranger danger* serves to purify the family and reassert its established role as a haven against insecurity even as accelerating neoliberal trends in the culture and economy undermine this. Related to the topic at hand, this trend could be thought of as the sexualization of youngsters whereas the family allegedly represents the asexual containment guarding against this. The crux of the matter is that something within the minor is apparently triggered. The teenager was already sexual in the first place. It is not only the perpetrator of underage sex who taps into this. The logic of the market has the same *modus operandi* as the offender in the case of underage sex in that both drive teenagers into the sexual awareness that they are not only objects but also subjects. They both activate sexual agency via seduction and in both cases the youngster is not 'pushed' but 'pulled' towards that place called sex, just as adults are pulled towards that place called youth. The act of sex can no longer perform a plausible distinction despite the construction of the child as an asexual beacon in a thoroughly rejuvenated and sexualized social order. In this order 'the center cannot hold' for the founding myth of youth is increasingly unmasked due to the presence of sexual teenagers.

Those in authority like a TV personality such as Dr. Phil intervene in order to send the message that underage sex is not something casual (Gooren, 2014) but significant. In line with Simon (2007) the criminalization of underage sex fits with the general pattern of governing through crime. That what is governed is not only the sexual integrity of a minor but asexual childhood in general as one of the pillars reproducing social order through the heterosexual family (Butler, 2008). Whenever asexuality moves progressively towards sexuality this poses an inherent contradiction and that is why authorities ascribe this process to an external threat or install love as the missing signifier enabling societal and legal trespassing. Developing the volatile and polymorphic sexual instinct of *childhood* into *adulthood* implies the sexual teenager has to be subsumed under erotically inadequate monogamous gendered heterosexuality and this is perhaps the reason why underage sex resembling properly gendered adult marital coitus is granted permission by authorities (see also Egan & Hawkes, 2009, p. 149-150). It is however not only the control of sex that is at stake, but also that of youth as upheaval over teenage pregnancies makes clear. A teenage pregnancy erodes the notion of youth for the teenage years reflect a high degree of freedom and a minimal amount of responsibility. Having a baby at that age implies ones youth is effectively over and this is almost seen as crime due to the fact that the condition of youth is valued so greatly in late modern Western society glorifying the everlasting phase of adolescence. To conclude, teenage sexual activity is made into a principle of classification and intelligibility for the purpose of structuring and ordering society (Appell, 2009; Chenier, 2011). The assessment of intra-generational sex of those underage should be

understood as an elaborate expression of sexual politics and sexual policing related to asexual childhood under pressure. However, the transgression of asexual childhood by sexual teenagers is no less subject to rules than the taboo itself (see Bataille, 1962). As long as sexual expression takes place within limits there is still containment. In effect the corporate slogan 'Enjoy responsibly' by Heineken® applies also to underage sex which is an act of transgression, but does not deny the taboo. In fact it transcends it and completes it.¹⁰

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10 The link between the notification of drinking alcohol moderately and the punishment of sexual transgression is relevant in more than one way for the irresponsible consumption of alcohol can quite often serve as a vehicle for irresponsible sex (see again Kimmel, 2010) whereby both parties can claim a lack of responsibility in their own gendered terms.

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